

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

KEN JOHANSEN on behalf of himself :  
and others similarly situated, :

Plaintiff, :

v. :

SANTANNA NATURAL GAS :  
CORPORATION, dba SANTANNA :  
ENERGY SERVICES, :

Defendant, Third-Party :  
Plaintiff :

v. :

LIBERAL UNITED MARKETING, :  
INC. a/k/a LIBERAL UNITED :  
MARKETING C AND P :  
INC. and JACOB T. ADIGWE, :

Third-Party Defendants. :

Case No. 1:17-cv-03604

Honorable Samuel Der-Yeghiayan

**PLAINTIFF'S SECOND SET OF DISCOVERY REQUESTS**

Pursuant to Fed. R. Civ. P. 33 and 34, Plaintiff Ken Johansen ("Plaintiff") requests that Defendant Santanna Natural Gas Corporation ("Defendant") respond to the following requests.

Throughout this request:

1. Unless otherwise stated, or identified in the local rules, all definitions should be responded to according to their ordinary meaning.

2. Unless otherwise specified in a particular paragraph, the time period covered by this request is four years prior to the filing of the Complaint in this action through the date of trial.

3. If any document requested was, but no longer is, in your possession or subject to your control, please state: (a) the date of its disposition; (b) the manner of its disposition (e.g., lost, destroyed, transferred to a third party); and (c) an explanation of the circumstances surrounding the disposition of the document.

4. All requests are also directed to all parent, related, affiliate and subsidiary companies of Defendant, to the greatest extent permissible under the discovery rules.

5. The term “identify” when used with respect to a natural person means to state: (1) the full name of the person, (2) his or her present or last known business and residential address and telephone number, (3) his or her email address, (4) his or her employer and position or title, (5) a description of his or her responsibilities, and (6) with respect to expert witnesses, the witness’s profession and qualifications. Once a person has been identified in accordance with this subparagraph, only the name of that person need be listed in response to subsequent interrogatories requesting the identification of that person.

6. The term “identify” with respect to legal actions means to state: (1) the full names of all parties, (2) each party’s status (such as plaintiff, defendant, third-party defendant, or intervenor), (3) the case number, (4) the jurisdiction and specific court or tribunal, (5) the date the action was filed, (6) the date the action was finally disposed of, or else an indication that the action is still pending, (7) for each appeal, the full names of all parties to the appeal, (8) for each appeal, all docket numbers, (9) for each appeal, the jurisdiction and specific appellate court or tribunal, (10) for each appeal, the date filed, and (11) for each appeal, the date the appeal was finally decided or otherwise disposed of, or if the appeal is still pending, an indication to that effect.

7. The term “identify” with respect to documents means to state: (1) the type of document (e.g., “letter to John Doe, cc: Richard Roe”), (2) its date or approximate date, (3) its author or authors, (4) its recipient or recipients, (5) its subject matter, and (6) its present location or custodian (or in lieu thereof attach a copy of the document). You need not provide a description as detailed as the foregoing if the document is produced in response to these Interrogatories and if such information is readily discernible from the document.

8. To identify a document that was, but is no longer, in your possession or subject to your control, or in existence, state whether it (1) is missing or lost, (2) has been destroyed, (3) has been transferred, voluntarily or involuntarily, to others, or (4) has been otherwise disposed of; and in each instance, explain the circumstances surrounding the authorization for such disposition and state the date or approximate date thereof.

9. The term “identify” when used with respect to verbal communication, discussion, or meeting means to state: (1) the type of communication, discussion or meeting (e.g., telephone conversation, face-to-face conversation, staff meeting), (2) its date or approximate date, (3) the identity of its participants or attendees, and (4) its general subject matter.

10. “Communication” includes every manner or means of disclosure, transfer, or exchange of information, and every disclosure, transfer or exchange of information, whether orally or by document or whether face-to-face, by telephone, mail, personal delivery, or otherwise.

11. “TCPA” means the Telephone Consumer Protection Act, 47 U.S.C. § 227, implementing regulations 47 C.F.R. 64.1200, and all valid FCC rulings and opinions interpreting such.

12. The singular includes the plural number, and vice versa. The masculine includes the feminine and neuter genders. The past tense includes the present tense where the clear meaning is not distorted by change of tense.

13. To the extent that any document cannot be furnished, such documents as are available shall be supplied, together with a description of the documents not furnished and the reason for not furnishing them.

14. “And” and “or” shall be interpreted to mean “and/or,” so that said terms are given their broadest possible meaning.

15. “Telemarketing Calls” are outgoing telephone calls made promoting Defendant’s goods or services to persons within the United States.

**Interrogatories**

1. Identify all states that Liberal Untied Marketing, Inc. a/k/a Liberal United Marketing C and P Inc. and/or Jacob T. Adigwe were authorized to make telemarketing calls into promoting Santanna goods or services.

Response:

2. For each state identified in the prior request, identify the time period when Liberal Untied Marketing, Inc. a/k/a Liberal United Marketing C and P Inc. and/or Jacob T. Adigwe were authorized to make those calls as identified by calendar dates (e.g. Illinois from January 1, 2017 through December 15, 2017).

Response:

3. If during the dates identified above you believe that Liberal Untied Marketing, Inc. a/k/a Liberal United Marketing C and P Inc. and/or Jacob T. Adigwe were making telemarketing calls into any of the authorized states identified in response to Interrogatory No. 1 for competitors of yours, identify each and every basis for that position.

Response:

**Requests for Production of Documents**

**Request No. 1:** Documents that identify the source or basis for the assertion of any response to the Plaintiff's interrogatories.

Response:

PLAINTIFF,  
By his attorneys

/s/ Anthony I. Paronich  
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*Subject to Pro Hac Vice*

CERTIFICATE OF SERVICE

I, hereby certify that on January 29, 2018, I served the foregoing on counsel of record.

/s/ Anthony I. Paronich  
Anthony Paronich  
BRODERICK & PARONICH, P.C.